№ 52999

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 09 1989

Returned to applicant for correction

Corrected application filed

Map filed DEC 27 1988

The applicant Newmont Gold Company

Post Office Box 669 (Street and No. or P.O. Box No.), of Carlin (City or Town),

Nevada 89822 (State and Zip Code No.), hereby make... application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Delaware - May 1986

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1. The source of the proposed appropriation is Underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 5.00 cfs (One second-foot equals 448.83 gals. per min.) second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining, Milling and Domestic (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated

   (b) Stockwater, state number and kinds of animals to be watered

   (c) Other use (describe fully under "No. 12. Remarks")

   (d) Power:

      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NW¼NE¼ Section 19 T36N., R50E, MDM (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.)

   at a point from which the NE corner of said Section 19 bears N74°45'17"E a distance of 1850.55 feet

6. Place of use Sections 17, 18, 19 and 20 T36N, R50E, MDM (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well equipped with motor, pump and pipeline to place of use (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $60,000

10. Estimated time required to construct works 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Refer to map filed under Application No. 52795 to support this application.

See attachment for estimated consumptive use.

/s/ Michael D. Buschelman, Agent
By 5405 Mae Anne Avenue
Reno, Nevada 89523

Compared kh/ps pm/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the followng limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second, but not to exceed 1180 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 3, 1991

Proof of completion of work shall be filed on or before September 3, 1991

Application of water to beneficial use shall be made on or before August 3, 1994

Proof of the application of water to beneficial use shall be filed on or before September 3, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 16 1991

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3rd day of August, A.D. 19 89

State Engineer

Abrogated By port 55127 0.223 61859-T 4.456 Exp 5-12-97
60870-T 4.456 Exp. 4-18-96
port 62749-T 4.456 Exp 4/11/98
64150T 1.0 Exp 12-14-03

(O)-5314 (Rev.)

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and T S Ranch Joint Venture dated May 1, 1989.

Any water obtained as a result of the dewatering operation of Barrick Goldstrike Mines, Inc. shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses herein after referred to as mining and milling uses within the described place of use and prior to any use of the water authorized under Permits 49960, 50567, 50688, 50939, 50940, 51074, 51750, 51963, 52354, 52795, 52796, 52797, 52999 and 53000. The total amount of water under the above mentioned permits shall not exceed 2,000 million gallons annually.

The parties to the water management plan shall submit a monitoring plan to the State Engineer within three months after the issuance of this permit. This plan must address all aspects of potential impacts resulting from any pumping of water including the dewatering of the pit area. The State Engineer retains the right to require the parties of the plan to cooperate in the funding of a hydrology study to be conducted by an independent third party.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount pumped from each well and the amount used for each mining and milling purposes.

AMENDED

ATTACHMENT
ITEM NO. 12 CONTINUED Application No. 52999 & 53000
ESTIMATED CONSUMPTIVE USE:

Application No.s 52999 & 53000 are being filed in order to increase the total annual consumptive duty of water for Mill No. 4 which is associated with Newmont Gold's Post Project. Prior to these applications, individual water right duties for the Genesis and the Post Projects were combined on July 22, 1988 in the permit terms specified under Permit No. 51750. In reality, the milling operations of these two projects will operate independent of each other and require individual consumptive allotments of water.

The Mill No. 4 facility affiliated with the Post Project will process 6,000 tons of ore per day and will require a flow rate of 2,435 gallons per minute (gpm) on a continuous basis to satisfy water needs. Once the milling circuits are charged with water and the ore has been saturated, 700 gallons per minute (gpm) or 29% of recycled water is expected to help offset the total demand of 2,435 gpm. The recycled water is not anticipated to be available for approximately 120 days. The additional consumptive use is expected to be as follows:

A. The following continuous rate of flow will be supplied directly from fresh water production wells for the first 120 days.

Water Use	Gallons/Minute	Gallons/Day
Potable	20	28,800
Dust Abatement	60	86,400
Agglomeration	400	576,000
Gland Seal	200	288,000
Grinding	1755	2,527,200
Total	2435	3,506,400

B. For the remainder of the year (245 days) it is estimated that a flow of 700 gpm will be recycled and returned to the milling operation. This rate of flow will provide 1,008,000 gallons per day or 29% recycled water to the mill. Once this 700 gpm of recycled water is available, the continuous rate of flow supplied by fresh water production wells should be reduced to 1,735 gpm.

Summary of the Annual Water Volume Required:

A. 2,435 gpm = 3,506,400 gallons/day * 120 days = 420,768,000
B. 1,735 gpm = 2,498,400 gallons/day * 245 days = 612,108,000
Total annual volume required = 1,032,876,000